

REMARKS

This amendment is intended to be fully responsive to the Office Action having a mailing date of February 23, 2005. To address the Examiner's objection to the drawings, applicants have provided new FIGS. 5A-5E to more clearly articulate aspects of the invention. Claims 1, 6, 8-10, 12, 13, 19, 21-24 and 30 have been amended. Claims 2 and 14 have been canceled. More particularly, claims 1 and 13 have been amended to include the limitations of now canceled claims 2 and 14. The specification has also been amended in response to the Examiner's objection. Applicants submit that no new matter has been added this amendment and that support for the amendment may be found throughout the specification and drawings.

35 U.S.C. § 112

Claims 8, 10, 12 and 21 are rejected under 35 U.S.C. § 112 second paragraph as being indefinite for failing to particularly point out a distinctive claim of subject matter which applicant regards as the invention.

Claims 8, 10, 12 and 21 have been amended to address the Examiner's rejection under subsection 112 to put the claims in better condition for examination. Applicants respectively submit that amended claims 8, 10, 12 and 21 are now allowable over the subsection 112 rejection.

35 U.S.C. § 102

Claims 1-33 are rejected under 35 U.S.C. § 102(b) as being anticipated by *Redford*, U.S. Patent No. 5,031,982. Applicants respectfully traverse this rejection.

Amended claim 1 recites, "a payout tube for a storage container, a payout tube comprising an elongated conduit with a flexible portion wherein the flexible portion of the payout tube is designed to be placed in an interior of the container." Independent claims 13, 22, 23, 24 and 30 are apparatus and method claims that recite, among other things, an elongated conduit with a flexible portion wherein the flexible portion is designed to be placed in an interior of the container.

Redford discloses embodiments of a flexible payout duct constructed of a material having a resilient spring-like characteristic that is helically wound to form a hollow tube guide for an optical fiber dispensed from a wound stack disposed in a dispenser. One end of the duct is interconnected with the dispenser for receiving the optical fiber and dispensing along the tube to exit from deep duct opposite end. (See Abstract and column 3, lines 23-26.) There is no disclosure or teaching in *Redford* with regard to a payout tube comprising an elongated conduit with a flexible portion wherein the flexible portion of the payout tube is designed to be placed in an interior of the container. Contrarily, *Redford* only discloses and teaches that the flexible portion of the payout tube is interconnected and disposed external to the dispenser. (See FIGS. 5-7) Accordingly, for at least these reasons, claims 1-33 embody patentable subject matter and it is respectfully requested that the claims be passed to issue.

CONCLUSION

For at least the above reasons, this application is believed to be in condition for allowance. Accordingly, it is respectfully requested that this application be passed to issue.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. 64671-0523 from which the undersigned is authorized to draw.

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Respectfully submitted,

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Attachments

AMENDMENTS TO THE DRAWINGS

In response to the Examiner's objection to the drawings under 37 CFR 1.83(a), Applicant has included new FIGS. 5A-5E to more clearly articulate aspects of the invention. Applicant respectfully requests reconsideration.

The attached sheet(s) of drawings includes new FIGS. 5A-5E .

Attachment: Replacement sheet